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8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**
12

13 In the Matter of the Accusation Against:

Case No. *2009-266*

14 **PHILIP G. ROMANELLI**
1638 11th Street
15 Bethlehem, Pennsylvania 18020-6541

A C C U S A T I O N

16 Registered Nurse License No. 578227

17 Respondent.
18

19 Ruth Ann Terry, M.P.H., R.N. ("Complainant") alleges:

20 **PARTIES**

21 1. Complainant brings this Accusation solely in her official capacity as the
22 Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer
23 Affairs.

24 2. On or about March 6, 2001, the Board issued Registered Nurse License
25 Number 578227 to Philip G. Romanelli ("Respondent"). The license was in full force and effect
26 at all times relevant to the charges brought herein and will expire on January 31, 2011, unless
27 renewed.

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1 **COST RECOVERY**

2 7. Code section 125.3 states, in pertinent part, that the Board may request the
3 administrative law judge to direct a licentiate found to have committed a violation or violations
4 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
5 enforcement of the case.

6 **BACKGROUND INFORMATION**

7 8. Between April 2, 2004, and April 10, 2004, Respondent was assigned to
8 care for a 21-year-old female psychiatric patient, C.M.M., who had been admitted to the
9 Behavioral Health Center at Enloe Medical Center ("Enloe") due to exacerbation of depression
10 with suicidal gesture. Upon C.M.M.'s release from Enloe, C.M.M. gave Respondent her
11 telephone number. Respondent called C.M.M. and set up a date. Respondent and C.M.M. went
12 on several dates, and C.M.M. stayed with Respondent at his motel room a couple of nights.

13 9. Between April 1, 2004, and April 10, 2004, Respondent was assigned to
14 care for a 48-year-old female psychiatric patient, M.M., who had been admitted to the Behavioral
15 Health Center at Enloe due to chronic severe psychotic depression. Upon M.M.'s release from
16 Enloe, M.M. called the nurses station at Enloe to speak with Respondent. Respondent was too
17 busy to talk, so he gave M.M. the telephone number to his motel room. M.M. called Respondent
18 at his motel room and set up a dinner date. The next evening Respondent and M.M. went to
19 dinner. After dinner, M.M. drove Respondent back to his motel. M.M. went up to Respondent's
20 motel room and hung out with him for approximately an hour.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Sexual Abuse, Misconduct, or Relations with a Patient)**

3 10. Respondent is subject to discipline under Code section 726, on the
4 grounds of unprofessional conduct, in that between April 1, 2004, and April 10, 2004, while
5 employed as a traveling nurse by Fastaff Nursing and on assignment as a registered nurse in the
6 Behavioral Health Unit at Enloe Medical Center, located in Chico, California, Respondent
7 committed acts involving sexual abuse, misconduct or relations, as more particularly set forth
8 above in paragraphs 8 and 9.

9 **SECOND CAUSE FOR DISCIPLINE**

10 **(Gross Negligence)**

11 11. Respondent is subject to discipline under Code section 2761(a)(1), on the
12 grounds of unprofessional conduct, in that between April 1, 2004, and April 10, 2004, while
13 employed as a traveling nurse by Fastaff Nursing and on assignment as a registered nurse in the
14 Behavioral Health Unit at Enloe Medical Center, located in Chico, California, Respondent was
15 grossly negligent. Respondent violated the basic principles related to therapeutic nurse-patient
16 relationships with the potential to cause great emotional harm to two psychiatric patients by
17 socializing with them following their release from Enloe Medical Center, as more particularly set
18 forth above in paragraphs 8 and 9.

19 **THIRD CAUSE FOR DISCIPLINE**

20 **(Unprofessional Conduct)**

21 12. Respondent is subject to discipline under Code section 2761(a), on the
22 grounds of unprofessional conduct, in that between April 1, 2004, and April 10, 2004, while
23 employed as a traveling nurse by Fastaff Nursing and on assignment as a registered nurse in the
24 Behavioral Health Unit at Enloe Medical Center, located in Chico, California, Respondent
25 demonstrated unprofessional conduct, as more particularly set forth above in paragraphs 8 and 9.

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1 **PRAYER**


2 **WHEREFORE**, Complainant requests that a hearing be held on the matters
3 herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

4 1. Revoking or suspending Registered Nurse License Number 578227, issued
5 to Philip G. Romanelli;

6 2. Ordering Philip G. Romanelli to pay the Board of Registered Nursing the
7 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
8 Professions Code section 125.3; and,

9 3. Taking such other and further action as deemed necessary and proper.

10 DATED: 4/22/09.

11 
12 RUTH ANN TERRY, M.P.H., R.N.
13 Executive Officer
14 Board of Registered Nursing
15 Department of Consumer Affairs
16 State of California
17 Complainant

18 SA2008302961
19 Accusation (kdg) 4/20/09
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